

Docket No.: 19603/3306 (CRF D-2136B)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants Collmer et al. Examiner: A. Kubelik Serial No. 09/597,513 Art Unit: Cnfrm. No. : 5828 1638 Filed June 20, 2000 For DNA ENCODING PSEUDOMONAS SYRINGAE HYPERSENSITIVE RESPONSE **ELICITOR AND ITS USE**

STATEMENT IN ACCORDANCE WITH 37 C.F.R. § 1.821 (f)-(g)

U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 22202

Box: AF

Sir:

In accordance with 37 C.F.R. § 1.821(g), applicants hereby submit a Sequence Listing (6 pages) on paper and on a computer readable 3.5" Diskette. In accordance with 37 C.F.R. § 1.821(f), applicants submit that the contents of the paper copy and the computer readable form are the same. This submission contains no new matter.

Respectfully submitted,

Dated: April 15 2003

Edwin V. Merkel Registration No. 40,087

NIXON PEABODY LLP

Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051

Telephone: (585) 263-1128 Facsimile: (585) 263-1600 Certificate of Mailing - 37 CFR 1.8(a)

I hereby certify that this corr spondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

U.S. Patent and Trademark Office PO. BOX 2327

Arlington, VA 22202, on the date below.

Jane C. Wirszyla